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Dockets Management Branch (HFA-305)
Food and Drug Administration
Department of Health and Human Services
5630 Fishers Lane
Room 1061
Rockville, MD 20852

To Whom It May Concern:

On behalf of the Michigan Restaurant Association and our members throughout the state, I am writing today in strong opposition to proposed rules which would eliminate consumer choice of raw shellfish products harvested in many parts of the country and sold to restaurants and retailers nationwide.

These potential rules, which you have been asked to consider by a single special interest group, would impose another unnecessary bureaucratic limitation upon food products available to consumers. For those restaurants, hotels, clubs and markets which do currently sell raw shellfish, including oysters, clams, and scallops, mandatory post harvest treatment of these products will accomplish only two things.

First, because the cost of this "treatment" is so high per unit, prices to both the restaurant and the end consumer will rise dramatically. Second, demand will drop, hurting both the restaurant owner and the shellfish harvester.

It should also be mentioned that where treated product is available beside the traditional raw product, consumers overwhelmingly choose the original raw alternative. The marketplace should be the ultimate regulator of such issues.

The last five years have seen a dramatic rise in the availability of fresh seafood nationwide. Approving these costly and unnecessary rules would only serve to reverse that trend and deprive those consumers who do enjoy raw shellfish of their right to choose.

As you consider these rules, it might be wise to ask yourselves just where this level of government intrusion will end? Today perhaps, its only raw shellfish. Tomorrow why not sushi or other foods which may also pose some risk to a very limited constituency?

Please act responsibly in reviewing this rules request and support the right of consumers to make their own educated choice of treated versus raw product. Protect our industry and the consumer's right to choose by rejecting these rules.

Sincerely,

Robert A. Gifford
Executive Director

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